

1 **ROBERT R. HENSSLER JR.**

California State Bar No. 216165

2 **FEDERAL DEFENDERS OF SAN DIEGO, INC.**

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5 Attorneys for Mr. Mojica
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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 **(HONORABLE BARRY T. MOSKOWITZ)**

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 FELIX MOJICA-PERALTA,)

15 Defendant.)

CASE NO. 07CR2984-BTM

DATE: DECEMBER 14, 2007

TIME: 1:30 p.m.

NOTICE OF MOTIONS AND
MOTIONS TO:

- 1) COMPEL DISCOVERY;
2) PRESERVE EVIDENCE;
3) DISMISS INDICTMENT;
4) COMPEL GOVERNMENT TO PROVIDE A
BILL OF PARTICULARS;
5) SUPPRESS STATEMENTS; AND
6) GRANT LEAVE TO FILE FURTHER MOTIONS

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20 TO: CAROL C. LAM, UNITED STATES ATTORNEY, AND
ALESSANDRA P. SERANO, ASSISTANT UNITED STATES ATTORNEY:
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22 PLEASE TAKE NOTICE that on Friday, December 14, 2007, at 1:30 p.m., or as soon thereafter as
23 counsel may be heard, Felix Mojica-Peralta, by and through counsel, Robert R. Henssler Jr., and Federal
24 Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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MOTIONS

Felix Mojica-Peralta, by and through counsel, Robert R. Henssler Jr., and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

- (1) Compel discovery;
- (2) Preserve evidence;
- (3) Dismiss the indictment;
- (4) Compel government to provide a bill of particulars;
- (5) Suppress statements;
- (6) Grant leave to file further motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

/s/ Robert R. Henssler, Jr.

Dated: November 30, 2007

ROBERT R. HENSSLER JR.
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Mojica-Peralta

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of his information and belief, and that a copy of the foregoing document has been served this day upon:

U S Attorneys Office Southern District of California
Email: Efile.dkt.gc2@usdoj.gov

Dated: November 30, 2007

/s/ Robert R. Henssler, Jr.
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